

PATENT

Attorney Docket No. ROC920030366US1 (IBM/288)

**CERTIFICATE OF ELECTRONIC TRANSMISSION**

Confirmation No. 7130

I hereby certify that this correspondence for Application No. 10,754,010 is being electronically transmitted to Technology Center 2167 via EFS-WEB, on October 30, 2008.

/Scott A. Stinebruner/  
Scott A. Stinebruner, Reg. No. 38,323

October 30, 2008  
Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Paul Reuben Day et al. Art Unit: 2167  
Application No.: 10/754,010 Examiner:  
Filed: January 8, 2004  
For: METHOD AND SYSTEM FOR A SELF-HEALING QUERY ACCESS  
PLAN

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM  
THE PRIMARY EXAMINER TO THE BOARD OF APPEALS**

Applicant hereby appeals to the Board of Appeals from the decision of the Primary Examiner mailed **October 6, 2008**, finally rejecting claims **1, 3-8, and 10-12**.

The item(s) checked below are appropriate:

1. ☐ Applicant hereby petitions for a ☐ month extension of time to reply to the final rejection.  
☐ Check attached for the sum of \$ ☐.  
☐ Please charge the sum of \$ ☐ to Credit Card per the attached Electronic Fee Sheet.  
☐ Please apply extension of time fee to Deposit Account No. 23-3000.
2. ☒ Appeal Fee: ☒ Other than a small entity Fee: \$540.00  
☐ Small Entity Status previously Fee: \$ ☐  
☐ Requested and is still proper  
☐ Small Entity Status Requested Fee: \$ ☐
3. ☒ Payment: ☒ Check attached for the sum of \$ ☐.  
☐ Please charge the sum of \$540.00 to Credit Card per the attached  
Electronic Fee Sheet.  
☐ Please charge the sum of \$ ☐ to Deposit Account 23-3000.
4. ☒ Fee Deficiencies: If any other fees or extension of time is needed to complete this transaction  
or if a credit is due, please apply them to Deposit Account No. 23-3000.

Respectfully submitted,

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Facsimile: (513) 241-6234

By: /Scott A. Stinebruner/  
Scott A. Stinebruner  
Reg. No. 38,323

Date: October 30, 2008